

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

MARQUITTA MCAFEE, et al.,)	
individually and on behalf of all others)	
similarly situated,)	
)	
Plaintiffs,)	
)	
vs.)	Case No. 14-CV-1010-NJR-RJD
)	
MARION HUBBARD and EAST ST.)	
LOUIS PARK DISTRICT,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

ROSENSTENGEL, District Judge:

On September 23, 2016, Plaintiffs and Defendants filed a joint motion requesting this Court to grant 1) Conditional Certification of a Collective Class for Settlement Purposes, 2) Preliminary Approval of Collective Action Settlement, and 3) Approval of Notice to Class Members on September 23, 2016; the Court held a hearing on the joint motion on November 3, 2016 (Doc. 58). The Court, having considered the arguments in support of the motion, **ORDERS** as follows:

1. The Court conditionally certifies the following Settlement Class for settlement purposes pursuant to 29 U.S.C. § 216(b): **All individuals that served as Police Officers for the East St. Louis Park District between the dates of September 17, 2009 and September 17, 2014 who performed work without receiving proper overtime pay and/or straight time pay and were at times paid less than both the federal and state minimum wage as required under the Fair Labor Standards Act ("FLSA"), the Illinois**

Wage Collection and Payment Act (“IWCPA”), the Illinois Minimum Wage Law (“IMWL”), and Illinois Common Law.

2. The Court grants the parties’ request for preliminary approval of the Settlement, as set forth in the Settlement Agreement attached as Exhibit A. The parties had a bona fide dispute regarding the payment of overtime wages. The Settlement was negotiated after a significant amount of discovery was conducted and appears to have been the product of serious, informed, and extensive arm’s-length negotiations between the parties. The Settlement appears at this stage to be fair, adequate, and reasonable to the Settlement Class.

3. The Court appoints Marquitta McAfee, Draphy Durgins, Jeffrey Waters, and Rory Stewart as Settlement Class representatives.

4. The Court approves, as to form and content, the proposed Notice of Settlement of Collection Action Wage and Hour Claims in the form attached as Exhibit B.

5. The Court approves the procedures for Class Members to participate in and to object to the Settlement as set forth in the Settlement Agreement and Notice.

6. The Court directs the distribution of the Notice by first-class mail to the Class Members in accordance with the implementation schedule set forth in the Settlement Agreement and described below.

7. The Court hereby sets a hearing (“Final Approval Hearing”) to take place on **February 21, 2017, at 10:30 a.m.** At the Final Approval Hearing, the Court will consider: whether to ultimately approve the settlement as fair, reasonable, and adequate to the Settlement Class; whether to enter final judgment in this case; whether to approve the

incentive awards as set forth in the Settlement Agreement; and whether to approve the attorneys' fees and costs as set forth in the Settlement Agreement.

8. Any Class Member who wishes to object to the Settlement or appear at the Final Approval Hearing must do so in accordance with the procedures set forth in the Class Notice. Any objections to the Settlement must be filed with the Court no later than **January 17, 2017**.

9. Any application by Class Counsel for an award of attorneys' fees and/or reimbursement expenses, shall be filed with the Court on or before **January 17, 2017**.

IT IS SO ORDERED.

DATED: November 29, 2016

The image shows a handwritten signature in black ink that reads "Nancy J. Rosenstengel". The signature is written in a cursive style. A faint circular seal of the United States District Court for the District of New Jersey is visible in the background behind the signature.

NANCY J. ROSENSTENGEL
United States District Judge